

ZONING AND ADJUSTMENT BOARD

January 5, 2004

The Zoning and Adjustment Board of Sumter County, Florida convened on Monday, January 5, 2004, at 6:30 P.M. with the following Board members present: Chairman Larry Story, Frank Topping, Rodney Caruthers, Dossie Singleton, Dave Pierazek, Mark Caruthers, Rusty Mask, Todd Brown, Lamar Parker and Dale Nichols. Board members Richard Bradley and Evan Merritt were absent. Terry Neal, Zoning and Adjustment Board Attorney, Aimee Webb, Board Secretary, and Roberta Rogers, Director of Planning and Development, were present.

The Board members led everyone in the pledge and prayer.

Mr. Story presented the proof of publication.

Mr. Brown made a motion to approve the minutes from the November 17, 2003 and December 1, 2003 ZAB meetings. Mr. Parker seconded the motion and the motion carried.

R2004-0001/R2003-0026

Gerald Eulett & Robert Eulett

Gerald Eulett was present and requested a rezoning on 43.786 acres MOL from A5 and RR1 to A10C and RR1C. There were six notices sent. Of the six notices sent, none were received in favor and none in objection. There were no objections from the audience. Mr. Eulett stated they were requesting to rezone the RR1 to RR1C and relocate it. Mr. Eulett also stated they were going to subdivide the property into four – ten acre parcels and one 3.786 acres parcel. There were no further questions or discussion from the Board. Mr. Nichols made a motion to recommend approval of the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Parker seconded the motion and the motion carried.

R2004-0002/R2003-0028

Jack & Janice Anderson

Jack Anderson was present and requested to rezone five acres MOL from A5 to RR1C for a lineal transfer. There were five notices sent. Of the five notices sent, none were received in favor and none in objection. There were no objections from the audience. There were no further questions or discussion from the Board. Mr. Topping made a motion to recommend approval of the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Brown seconded the motion and the motion carried.

R2004-0003/R2003-0029

Mabry Williams

Mabry Williams was present and requested a rezoning from A5 to RR1C on 2 acres MOL and the remaining property to A10C. There were nine notices sent. Of the nine notices

sent, one was received in favor and none in objection. There were no objections from the audience. Mr. Williams stated he would be completing a lineal transfer and rezoning the remainder of the property into compliance with the Future Land Use Map. There were no further questions or discussion from the Board. Mr. Mark Caruthers made a motion to recommend approval of the requested rezoning based on the information provided in the staff report. Mr. Nichols seconded the motion and the motion carried.

R2004-0004/R2003-0030

Juan & Marie Leiva, Et al

Juan Leiva and Erin Munz were present and requested a rezoning from RR1 to CH on 4.20 acres MOL to bring the property into compliance with the Future Land Use Map. There were eleven notices sent. Of the eleven notices sent, none were received in favor and none in objection. Mr. Leiva stated he would like to relocate the existing cabinet shop located adjacent to the subject property and construct retail office space. There were no objections from the audience. Mr. Mark Caruthers made a motion to recommend approval of the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Parker seconded the motion and the motion carried.

R2004-0005/R2003-0031

Debra Kay Henderson (Brunson)

Sharon King, representative for the applicant, was present and requested a rezoning from RR to CL on 1.29 acres MOL to bring the property into compliance with the Future Land Use Map. There were nine notices sent. Of the nine notices sent, one was received in favor and none in objection. Ms. King stated she was a realtor and the proposed buyer anticipated constructing a storage facility for plumbing supplies, in which all materials will be stored inside. There were no further questions or discussion from the Board. Mr. Mark Caruthers made a motion to recommend approval of the amended rezoning request to the Board of Sumter County Commissioners. Mr. Brown seconded the motion and the motion carried.

S2004-0001/S2003-0004

Scott & Laura Mandrell

Scott Mandrell was present and requested a renewal for a Special Use Permit for a dog exercise park with alterations to the existing operations. There were five notices sent. Of the five notices sent, three were received in favor and none in objection. There were no objections from the audience, however several audience members were present in support of the request. Mr. Mandrell filed a petition into record in support of his request.

Mr. Mandrell requested the following be approved with the request:

- a. expand to utilize the eastern five acres of the property,
- b. a dog day care,
- c. hours of operation extend from 6:00 a.m. to 9:00 p.m.,
- d. more than 15 dogs permitted on site with a maximum of fifty dogs on site at one time,

- e. allow the construction of a permanent structure for records and supplies,
- f. allow the dogs to be unleashed inside the dog exercise area.

Mr. Mandrell stated if the dog day care were approved, a structure with air conditioning would be constructed for comfort. The Board had concerns regarding the clean up and disposal of wastes. Mr. Mandrell stated each waste site is flagged and cleaned up immediately. Mr. Mandrell explained a dumpster is on site for proper disposal and the accumulated waste is removed weekly.

The Board made amendments to staff's recommended conditions of approval:

- a. no overnight boarding of animals,
- b. hours of operation shall be from 6:00 a.m. to 9:00 p.m.,
- c. the accumulated waste was to be removed weekly,
- d. owners must carry a leash and keep dogs within visible site at all times with the exception to the dogs in the day care operation, and
- e. the approval was personal to Mr. Mandrell and could not be sold or transferred with the property.

There were no further questions or discussion from the Board. Mr. Topping made a motion to approve the requested Special Use Permit based on the information provided in the staff report and with the amended conditions of approval 1-18. Mr. Nichols seconded the motion and the motion carried.

Rock Properties, Sam and Lynn Long, and The Villages of Lake-Sumter, Et al Jack Sullivan, representative for Rock Properties and The Villages of Lake-Sumter, Et al was present and Sam Long and Lonnie Edwards, representative for Long, were present and requesting approval of developer's agreements.

As all three cases were similar, Mrs. Rogers gave the Board an overview of all the applications. Mrs. Rogers stated the Objections, Recommendations, and Comments report had been received from the state agencies requiring development limitations so as to not exceed the study limits for traffic in the development areas. Mrs. Rogers stated the development agreement for the Long property limited the entire property to 740 units, regardless of whether the property was subdivided or sold, Rock Properties to 298 multi-family dwellings, and The Villages to 200,000 square feet of commercial development. Any additional development for The Villages of Lake-Sumter, Et al would require a new traffic study for the proposed and existing areas uses.

Mr. Mark Caruthers stated he had a conflict of interest with The Villages request as he is the designated representative for James Bennett's property, which is included in the application.

There were no further questions or discussion from the Board. Mr. Topping made a motion to recommend approval of the requested developer's agreement for Rock

Properties to the Board of Sumter County Commissioners. Mr. Nichols seconded the motion and the motion carried.

Mr. Topping made a motion to recommend approval of the requested developer's agreement for Sam and Lynn Long to the Board of Sumter County Commissioners. Mr. Nichols seconded the motion and the motion carried.

Mr. Topping made a motion to recommend approval of the requested developer's agreement for The Villages of Lake-Sumter, Et al to the Board of Sumter County Commissioners. Mr. Nichols seconded the motion and the motion carried.

Public Forum

Mr. Pierazek stated he had concerns regarding the approval of the powered paragliding special use approval as complaints had been made regarding safety and the flying of paragliders over I-75.

Mrs. Rogers gave the Board members proposed changes to the Land Development Regulations which included the Urban High Density land use, changing PUD to Mixed Use, Urban Expansion Area (UEA) to Urban Development Boundary (UDB), changes to the comprehensive plan for Master Plan Developments, and changes to the construction and debris landfill ordinance to be discussed at the next scheduled meeting.

Mr. Nichols made a motion to adjourn. Mr. Mark Caruthers seconded the motion and the motion carried.

The meeting adjourned at 7:43 p.m.

Larry Story, Chairman
Zoning and Adjustment Board